

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:14-cv-01348-TSC**

ATTKISSON v. US DEPARTMENT OF HEALTH AND  
HUMAN SERVICES

Assigned to: Judge Tanya S. Chutkan  
Cause: 05:552 Freedom of Information Act

Date Filed: 08/08/2014  
Date Terminated: 08/04/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**SHARYL ATTKISSON**

represented by **Michael Bekesha**  
JUDICIAL WATCH, INC.  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. DEPARTMENT OF HEALTH  
AND HUMAN SERVICES**

represented by **Jeremy S. Simon**  
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**TERMINATED: 12/02/2015**

Date Filed	#	Docket Text
08/08/2014	<u>1</u>	COMPLAINT against US DEPARTMENT OF HEALTH AND HUMAN SERVICES ( Filing fee \$ 400 receipt number 0090-3804217) filed by SHARYL ATTKISSON. (Attachments: # <u>1</u> Summons Department of Health and Human Services, # <u>2</u> Summons U.S. Attorney General, # <u>3</u> Summons U.S. Attorney for the District of Columbia)(Bekesha, Michael) (Entered: 08/08/2014)
08/08/2014	<u>2</u>	CIVIL COVER SHEET by SHARYL ATTKISSON re <u>1</u> Complaint, filed by SHARYL ATTKISSON. Related document: <u>1</u> Complaint, filed by SHARYL ATTKISSON.(Bekesha, Michael) (Entered: 08/08/2014)

08/08/2014		Case Assigned to Judge Tanya S. Chutkan. (md, ) (Entered: 08/08/2014)
08/13/2014	<u>3</u>	SUMMONS (3) Issued Electronically as to US DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons 2nd, # <u>2</u> Summons 3rd, # <u>3</u> Notice Of Consent, # <u>4</u> Consent Form) (md, ) (Entered: 08/13/2014)
08/22/2014	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/18/2014. ( Answer due for ALL FEDERAL DEFENDANTS by 9/17/2014.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/18/2014., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. US DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 8/18/2014 (Attachments: # <u>1</u> Declaration of C. Rotaru)(Bekesha, Michael) (Entered: 08/22/2014)
09/11/2014	<u>5</u>	NOTICE of Appearance by Jeremy S. Simon on behalf of US DEPARTMENT OF HEALTH AND HUMAN SERVICES (Simon, Jeremy) (Entered: 09/11/2014)
09/12/2014	<u>6</u>	MOTION for Extension of Time to <i>Answer or Otherwise Respond to Complaint (Partial Consent Motion)</i> by US DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 09/12/2014)
09/17/2014		MINUTE ORDER: Granting <u>6</u> Motion for Extension of Time to Answer; Defendant shall answer or otherwise respond to the Complaint by October 17, 2014. Signed by Judge Tanya S. Chutkan on 9/17/14. (DJS) (Entered: 09/17/2014)
09/18/2014		Set/Reset Deadlines: Answer due by 10/17/2014, (tj ) (Entered: 09/18/2014)
10/17/2014	<u>7</u>	ANSWER to Complaint by US DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Simon, Jeremy) (Entered: 10/17/2014)
11/03/2014		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule should address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and order not later than November 25, 2014. Signed by Judge Tanya S. Chutkan on 11/3/14. (DJS) (Entered: 11/03/2014)
11/03/2014		Set/Reset Deadlines: Meet & Confer Statement due by 11/25/2014 and Status Report due by 11/25/2014. (tj ) (Entered: 11/03/2014)
11/25/2014	<u>8</u>	STATUS REPORT ( <i>Joint Status Report</i> ) by US DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 11/25/2014)
11/26/2014		MINUTE ORDER: Having considered the Status Report filed by parties <u>8</u> , it is hereby ordered that the parties shall file a joint status report and jointly proposed schedule not later than January 9, 2015. Signed by Judge Tanya S. Chutkan on 11/26/14. (DJS) (Entered: 11/26/2014)
11/26/2014		Set/Reset Deadlines: Joint Status Report and Proposed Schedule due by 1/9/2015. (sm) (Entered: 11/26/2014)
01/09/2015	<u>9</u>	STATUS REPORT ( <i>Joint Status Report</i> ) by US DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 01/09/2015)
01/14/2015		MINUTE ORDER: Having considered the Status Report filed by the parties <u>9</u> , it is hereby ordered that the parties shall file a joint status report and jointly proposed schedule not later than February 20, 2015. Signed by Judge Tanya S. Chutkan on 1/14/15. (DJS) (Entered: 01/14/2015)
01/14/2015		Set/Reset Deadlines: Status Report due by 2/20/2015. (sm) (Entered: 01/14/2015)

02/20/2015	<u>10</u>	STATUS REPORT ( <i>Joint Status Report</i> ) by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 02/20/2015)
02/21/2015		MINUTE ORDER: Having considered the Status Report filed by parties <u>10</u> , it is hereby ordered that the parties shall file a joint status report and jointly proposed schedule not later than April 21, 2015. Signed by Judge Tanya S. Chutkan on 2/21/14. (DJS) (Entered: 02/21/2015)
02/23/2015		Set/Reset Deadlines: Status Report and jointly proposed schedule due by 4/21/2015. (sm) (Entered: 02/23/2015)
04/21/2015	<u>11</u>	STATUS REPORT ( <i>Joint</i> ) by SHARYL ATTKISSON. (Bekesha, Michael) (Entered: 04/21/2015)
04/23/2015		MINUTE ORDER: A scheduling conference is hereby set for May 7, 2015 at 10:30 a.m. in Courtroom 2 to consider the dispute between the parties regarding how to proceed with this case. Signed by Judge Tanya S. Chutkan on 4/23/15. (DJS) (Entered: 04/23/2015)
04/23/2015		Set/Reset Hearings: Scheduling Conference set for 5/7/2015 at 10:30 AM in Courtroom 2 before Judge Tanya S. Chutkan. (zsm) (Entered: 04/23/2015)
04/28/2015		MINUTE ORDER: The Scheduling Conference previously set for 5/7/2015 is hereby rescheduled for 5/14/15 at 11:00 a.m. in Courtroom #2. Signed by Judge Tanya S. Chutkan on 4/28/15. (DJS) (Entered: 04/28/2015)
04/28/2015		Set/Reset Hearings: Scheduling Conference set for 5/14/2015 at 11:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. (zsm) (Entered: 04/28/2015)
05/14/2015		Minute Entry for proceedings held before Judge Tanya S. Chutkan: Scheduling Conference held on 5/14/2015. Status Report due by 6/24/2015. (Court Reporter Lisa Griffith.) (zsm) (Entered: 05/14/2015)
05/14/2015		MINUTE ORDER: The parties shall submit a joint status report concerning the processing of Plaintiff's FOIA requests by June 24, 2015. The Court will hold a status conference on July 10, 2015 at 10:00 a.m. Signed by Judge Tanya S. Chutkan on 5/14/15. (lctsc3) (Entered: 05/14/2015)
05/15/2015		Set/Reset Hearings: Status Conference set for 7/10/2015 at 10:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. (zsm) (Entered: 05/15/2015)
06/24/2015	<u>12</u>	STATUS REPORT ( <i>Joint</i> ) by SHARYL ATTKISSON. (Attachments: # <u>1</u> Exhibit A)(Bekesha, Michael) (Entered: 06/24/2015)
07/10/2015		Minute Entry for proceedings held before Judge Tanya S. Chutkan: Status Conference held on 7/10/2015. Status Report due by 8/24/2015. Status Conference set for 9/3/2015 at 10:15 AM in Courtroom 2 before Judge Tanya S. Chutkan. (Court Reporter Bryan Wayne.) (zsm) (Entered: 07/10/2015)
07/13/2015	<u>13</u>	TRANSCRIPT OF 7/10/15 STATUS HEARING before Judge Tanya S. Chutkan held on July 10, 2015. Page Numbers: 1–16. Date of Issuance: 7/13/15. Court Reporter: Bryan A. Wayne; telephone number: 202–354–3186. Court Reporter email address: Bryan_Wayne@dcd.uscourts.gov. For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter. <b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. Redaction Request due 8/3/2015. Redacted Transcript Deadline set for 8/13/2015. Release of Transcript Restriction set for 10/11/2015.(Wayne, Bryan) (Entered: 07/13/2015)
08/24/2015	<u>14</u>	STATUS REPORT ( <i>Joint Status Report</i> ) by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 08/24/2015)

09/01/2015	<u>15</u>	NOTICE of Appearance by Robin Michelle Meriweather on behalf of U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Meriweather, Robin) (Entered: 09/01/2015)
09/01/2015	<u>16</u>	Unopposed MOTION to Continue <i>Status Conference</i> by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # <u>1</u> Text of Proposed Order)(Meriweather, Robin) (Entered: 09/01/2015)
09/01/2015		MINUTE ORDER: Granting <u>16</u> Motion to Continue. The Status Conference previously set for 9/3/15 is hereby rescheduled for 9/15/15 at 10:15 a.m. in Courtroom 2. Signed by Judge Tanya S. Chutkan on 9/1/15. (DJS) (Entered: 09/01/2015)
09/01/2015		Set/Reset Hearings: Status Conference set for 9/15/2015 at 10:15 AM in Courtroom 2 before Judge Tanya S. Chutkan. (zsm) (Entered: 09/01/2015)
09/15/2015		MINUTE ORDER: The parties shall submit a joint status report concerning the processing of Plaintiff's FOIA requests not later than 11/16/2015. The Court will hold a status conference on 12/4/2015 at 10:00 a.m. Signed by Judge Tanya S. Chutkan on 9/15/2015. (lctsc3) (Entered: 09/15/2015)
09/15/2015		Set/Reset Deadlines/Hearings: Status Report due by 11/16/2015. Status Conference set for 12/4/2015 at 10:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. (zsm) (Entered: 09/15/2015)
09/15/2015		Minute Entry for proceedings held before Judge Tanya S. Chutkan: Status Conference held on 9/15/2015. (Court Reporter Bryan Wayne.) (dot) (Entered: 09/16/2015)
11/16/2015	<u>17</u>	Joint STATUS REPORT by SHARYL ATTKISSON. (Attachments: # <u>1</u> Exhibit A-C)(Bekesha, Michael) (Entered: 11/16/2015)
12/02/2015	<u>18</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. Attorney Robin Michelle Meriweather terminated. (Meriweather, Robin) (Entered: 12/02/2015)
12/03/2015		NOTICE of Hearing:Status Conference set for 12/4/2015 at 11:30 AM in Courtroom 2 before Judge Tanya S. Chutkan. Please note the change in time. (zsm) (Entered: 12/03/2015)
12/04/2015		Minute Entry for proceedings held before Judge Tanya S. Chutkan: Status Conference held on 12/4/2015. Defendant's Declaration due by 1/8/2016. Status Conference set for 1/21/2016 at 11:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. (Court Reporter Barbara DeVico.) (zsm) (Entered: 12/04/2015)
12/04/2015		MINUTE ORDER: Not later than 1/8/2016, Defendant shall file a declaration detailing its production procedure and describing, in concrete factual detail, any issues preventing an increased rate of production. The declaration shall also include a proposed production schedule. A status conference is set for 1/21/2016 at 11:00 am. Signed by Judge Tanya S. Chutkan on 12/4/2015. (lctsc3) (Entered: 12/04/2015)
01/07/2016	<u>19</u>	NOTICE of Filing of Declaration by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES re Order, (Attachments: # <u>1</u> Declaration of Hugh Gilmore)(Simon, Jeremy) (Entered: 01/07/2016)
01/21/2016		Minute Entry for Status Conference held before Judge Tanya S. Chutkan on 1/21/16 : Counsel encouraged to continue their cooperation. Further Status Conference set for 4/25/16 at 10:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. (Court Reporter: Bryan Wayne) (kk) (Entered: 01/21/2016)
01/21/2016		MINUTE ORDER setting a Status Conference in this matter for April 25, 2016 at 10:00am in Courtroom 2. Signed by Judge Tanya S. Chutkan on 1/21/2016. (lctsc3) (Entered: 01/21/2016)
03/01/2016		NOTICE of Hearing:Status Conference set for 5/3/2016 at 10:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. Please note the change in date. (zsm) (Entered: 03/01/2016)
03/02/2016		MINUTE ORDER: Not later than noon on 5/2/16 the parties shall file a joint status report along with a proposed order for moving forward with this case. Signed by Judge Tanya S. Chutkan on 3/2/16. (DJS) (Entered: 03/02/2016)

03/02/2016		Set/Reset Deadlines: Status Report due by 5/2/2016 (zsm) (Entered: 03/02/2016)
05/02/2016	<u>20</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 05/02/2016)
05/03/2016		Minute Entry for proceedings held before Judge Tanya S. Chutkan: Status Conference held on 5/3/2016. Parties advised the Court of the status of production. Status Conference set for 8/1/2016 at 10:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. (Court Reporter Bryan Wayne.) (zsm) (Entered: 05/03/2016)
05/17/2016		NOTICE of Hearing: Status Conference set for 8/1/2016 at 11:30 AM in Courtroom 2 before Judge Tanya S. Chutkan. Please note the change in time. (zsm) (Entered: 05/17/2016)
08/01/2016		Minute Entry for proceedings held before Judge Tanya S. Chutkan: Status Conference held on 8/1/2016. Status Report due by 11/4/2016. Status Conference set for 2/1/2017 at 10:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. (Court Reporter Bryan Wayne) (nbn) (Entered: 08/01/2016)
08/03/2016		MINUTE ORDER: In addition to the Status Report due on 11/4/16, the parties shall file a Joint Status Report, along with a proposed order on 1/30/2017. Signed by Judge Tanya S. Chutkan on 8/3/16. (DJS) (Entered: 08/03/2016)
11/03/2016	<u>21</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 11/03/2016)
01/05/2017		MINUTE ORDER: the hearing set for February 1, 2017 at 10:00 AM is hereby rescheduled for February 9, 2017 at 10:00 AM. Signed by Judge Tanya S. Chutkan on 1/5/2017. (lctsc3) (Entered: 01/05/2017)
01/30/2017	<u>22</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Proposed Order) (Simon, Jeremy) (Entered: 01/30/2017)
02/09/2017		Minute Entry: Status Conference held on 2/9/2017 before Judge Tanya S. Chutkan: Joint Status Report due by 5/2/2017. (Court Reporter Bryan Wayne) (tb) Modified on 2/10/2017 (tb). (Entered: 02/10/2017)
05/02/2017	<u>23</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 05/02/2017)
05/11/2017		MINUTE ORDER: Having considered the parties' Joint Status Report <u>23</u> , it is hereby ordered that the parties shall file another Joint Status Report by August 2, 2017, along with a proposed order. Signed by Judge Tanya S. Chutkan on 14cv1348. (DJS) (Entered: 05/11/2017)
05/12/2017		Set/Reset Deadlines: The parties shall file another Joint Status Report, along with a proposed order by 8/2/2017. (jth) (Entered: 05/12/2017)
05/16/2017		Set/Reset Deadlines: Joint Status Report due by 8/2/2017. (tb) (Entered: 05/16/2017)
08/02/2017	<u>24</u>	STIPULATION of Dismissal <i>with Prejudice</i> by SHARYL ATTKISSON. (Bekesha, Michael) (Entered: 08/02/2017)
08/03/2017	<u>25</u>	ORDER OF DISMISSAL: Dismissing action with prejudice. Signed by Judge Tanya S. Chutkan on 8/3/17. (DJS) (Entered: 08/03/2017)